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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/684,469 | 10/15/2003 | Hitoshi Saito | SON-2836 | 8872 |

23353 7590 07/21/2006

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1233 20TH STREET N.W., SUITE 501
WASHINGTON, DC 20036

EXAMINER

RENNER, CRAIG A

| ART UNIT | PAPER NUMBER |
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2627

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/684,469

Applicant(s)

SAITO, HITOSHI

Examiner

Craig A. Renner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1 and 2 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 11 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings were received on 11 May 2006. These drawings are accepted.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following is suggested:

--RECORDING MEDIA DRIVE DEVICE WITH FREELY-DETACHABLE
FRONT PANEL AND FREELY-DETACHABLE EJECT BUTTON--.

3. The disclosure is objected to because of the following informalities:
 - a. In line 3 of the abstract, "at least signal a reading device" should be corrected to read --at least a signal reading device--.
 - b. In line 21 of claim 1, "projection providing at" should be corrected to read --projection provided at--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. In lines 6 and 7-8 of claim 1, each instance of "said recording media" is indefinite because it lacks clear and/or positive antecedent basis.

b. In lines 17-19 of claim 1, "said engagement is achieved as a result of causing said eject button to move towards said slider, and a force causing said eject button to move in a direction away from said slider acts in a direction releasing said engagement" is indefinite as it is misdescriptive of the disclosure, which teaches/shows that this engagement corresponds to an engagement of the eject button with the slider and not the engagement referenced in lines 12-13 of claim 1 of the front panel with the body. That is, the engagement of the front panel with the body is not achieved as a result of causing the eject button to move towards the slider, and a force causing the eject button to move in a direction away from the slider acts in a direction does not release the engagement of the front panel with the body.

c. In lines 20-22 of claim 1, "said engagement is achieved by mutual engagement of an engaging hole provided at one of said eject button and said slider and an engaging projection providing at the remaining one of said eject button and said

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slider" is indefinite as it is misdescriptive of the disclosure, which teaches/shows that this engagement corresponds to an engagement of the eject button with the slider and not the engagement referenced in lines 12-13 of claim 1 of the front panel with the body. That is, the engagement of the front panel with the body is not achieved by mutual engagement of an engaging hole provided at one of the eject button and the slider and an engaging projection provided at the remaining one of the eject button and the slider.

d. In lines 5, 6 and 7 of claim 2, it is indefinite as to whether each instance of "said engaging projection" refers to that set forth in line 21 of independent claim 1, or that set forth in line 3 of claim 2.

e. In lines 6 (twice) and 7 of claim 2, it is indefinite as to whether each instance of "said engaging hole" refers to that set forth in line 20 of independent claim 1, or that set forth in line 2 of claim 2.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suganuma et al. (JP 08-255396) in view of Suzuki (JP 07-029279).

Suganuma teaches a recording media drive apparatus comprising a body (8); a front panel (21), covering the front of the body and having an insertion/removal opening (22) for inserting and removing recording media (1) to and from the body; a slider (24), provided within the body, for inducing an eject motion for ejecting the recording media installed within the body from the insertion/removal opening as a result of pushing from the front; and an eject button (24-2) projecting forwards from the front panel and operable to move with the slider, wherein the front panel is supported in a detachable manner as a result of engagement with the body (paragraph [0033], for instance), and the engagement is achieved by moving the front panel towards the body, and a force to move the front panel in a direction away from the body acts in a direction releasing the engagement (paragraph [0033], for instance) [as per claim 1]; wherein the engagement is achieved by mutual engagement of an engaging hole (31) provided at one of the front panel and the body and an engaging projection (32-2) provided at the remaining one of the front panel and the body, and an inclined surface is formed at the engaging projection or at an edge of an opening of the engaging hole (as shown in FIG. 6, for instance) so as to cause the engaging projection or the engaging hole to move in a direction away from the engaging hole or the engaging projection as a result of applying force to cause the front panel to move in a direction away from the body (paragraph [0033], for instance) [as per claim 2]. Suganuma, however, remains silent as to engagement of the eject button with the slider being "achieved as a result of causing

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said eject button to move towards said slider, and a force causing said eject button to move in a direction away from said slider acts in a direction releasing said engagement, wherein said engagement is achieved by mutual engagement of an engaging hole provided at one of said eject button and said slider and an engaging projection providing at the remaining one of said eject button and said slider, and an inclined surface is formed at said engaging projection or an edge of an opening of said engaging hole so as to cause said engaging projection or said engaging hole to move in a direction away from said engaging hole or said engaging projection as a result of applying force to cause said eject button to move in a direction away from said slider.”

Suzuki teaches an eject button (40) being fitted in a detachable manner as a result of engagement with a slider (lines 3-4 in the “CONSTITUTION”, for instance), wherein the engagement is achieved as a result of causing the eject button to move towards the slider, and a force causing the eject button to move in a direction away from the slider acts in a direction releasing the engagement, wherein the engagement is achieved by mutual engagement of an engaging hole (45) provided at one of the eject button and the slider and an engaging projection (29) providing at the remaining one of the eject button and the slider, and an inclined surface is formed at the engaging projection or an edge of an opening of the engaging hole (as shown in FIGS. 2-3, for instance) so as to cause the engaging projection or the engaging hole to move in a direction away from the engaging hole or the engaging projection as a result of applying force to cause the eject button to move in a direction away from the slider (lines 3-4 in the “CONSTITUTION”, for instance), in the same field of endeavor for the purpose of

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enabling ejection button replacement. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have had the eject button of Suganuma be fitted in a detachable manner as a result of engagement with a slider, wherein the engagement is achieved as a result of causing the eject button to move towards the slider, and a force causing the eject button to move in a direction away from the slider acts in a direction releasing the engagement, wherein the engagement is achieved by mutual engagement of an engaging hole provided at one of the eject button and the slider and an engaging projection providing at the remaining one of the eject button and the slider, and an inclined surface is formed at the engaging projection or an edge of an opening of the engaging hole so as to cause the engaging projection or the engaging hole to move in a direction away from the engaging hole or the engaging projection as a result of applying force to cause the eject button to move in a direction away from the slider, as taught by Suzuki. The rationale is as follows:

One of ordinary skill in the art would have been motivated to have had the eject button of Suganuma be fitted in a detachable manner as a result of engagement with a slider, wherein the engagement is achieved as a result of causing the eject button to move towards the slider, and a force causing the eject button to move in a direction away from the slider acts in a direction releasing the engagement, wherein the engagement is achieved by mutual engagement of an engaging hole provided at one of the eject button and the slider and an engaging projection providing at the remaining one of the eject button and the slider, and an inclined surface is formed at the engaging projection or an edge of an opening of the engaging hole so as to cause the engaging

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projection or the engaging hole to move in a direction away from the engaging hole or the engaging projection as a result of applying force to cause the eject button to move in a direction away from the slider, as taught by Suzuki, since such enables eject button replacement.

Pertinent Prior Art

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes certified translations of JP 04-245059, JP 07-029279, and JP 08-255396.

Response to Arguments

9. Applicant's arguments filed 11 May 2006 have been fully considered but they are not persuasive.

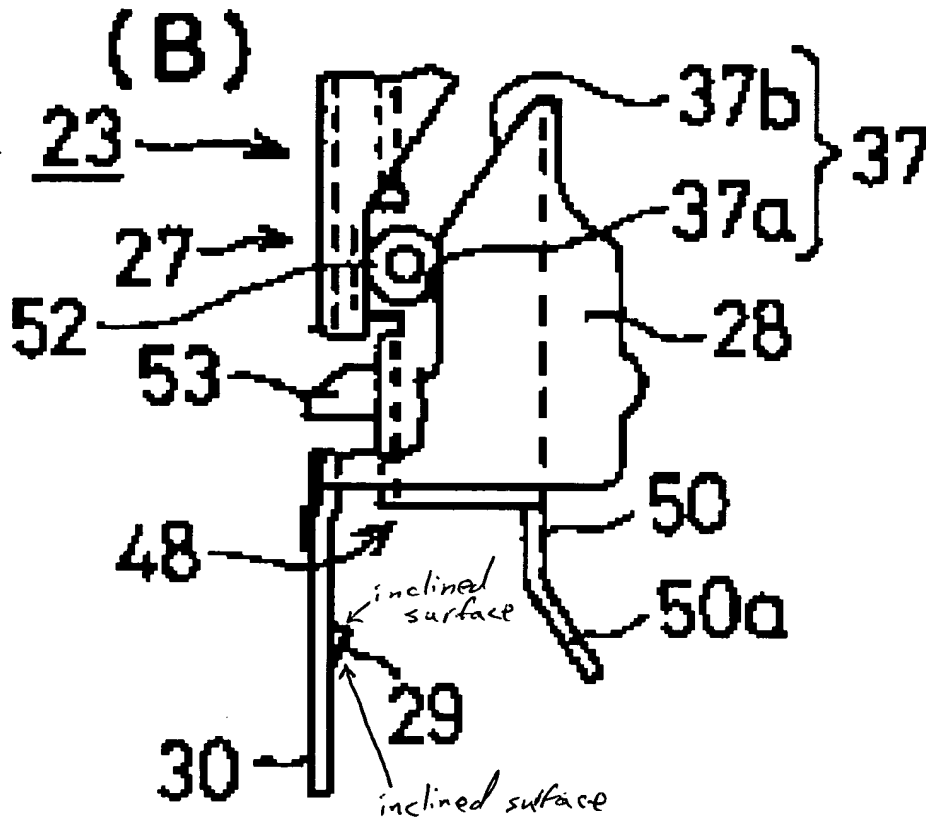
The applicant argues that "Suzuki fails to teach or suggest an engaging projection." This argument, however, is not found to be persuasive as Suzuki does teach an engaging projection (29). See FIGS. 3(A-B), for instance.

The applicant also contends that "as described in the specification on page 16, line 9, and in Figure 7, the engaging projection 23 is a trapezoidal shape as viewed from the side and has a central horizontal part 23a, a front-side inclined surface 23b extending downward from the end of the horizontal part 23a, and a rear-side inclined surface 23c extending downward to the rear from the rear end of the horizontal part 23a." This argument, however, is not found to be persuasive as the claims do not call

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for the engaging projection to be a trapezoidal shape as viewed from the side and have a central horizontal part, a front-side inclined surface extending downward from the end of the horizontal part, and a rear-side inclined surface extending downward to the rear from the rear end of the horizontal part. See 37 CFR § 1.111(b). The claims merely set forth that "an inclined surface is formed at said engaging projection." Suzuki teaches an inclined surface (see attached Exhibit A of FIG. 2(B)) is formed at a engaging projection (29).

2]



Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

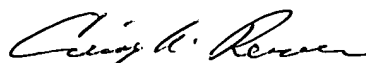
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig A. Renner whose telephone number is (571) 272-7580. The examiner can normally be reached on Monday-Tuesday & Thursday-Friday 9:00 AM - 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Craig A. Renner
Primary Examiner
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CAR